

### **REMARKS**

This communication responds to the Office Action mailed on October 17, 2008. Claims 1, 6, 9, 12, and 40 are amended, no claims are canceled, and no claims are added in this response. As a result, claims 1, 4-12, 14-17 and 40-43 are now pending in this Application. Claims 6-11 are presently withdrawn from consideration.

#### **§103 Rejection of the Claims**

Claims 1, 4-5, 12, 14-17, and 40-43 were rejected under 35 U.S.C. §103(a) as being unpatentable over Master et al. (U.S. Pub. No. 20030037959) in combination with the applicant's admitted prior art (AAPA) of this application. This rejection is respectfully traversed in light of the amendments to each of the independent claims.

The Applicant has amended independent claims 1 and 12 to recite "a lead finish comprising between about 78% and 80% by weight of lead, between about 9% and about 11% by weight of antimony, between 5% and about 12% by weight of silver". Similarly, independent claim 40 has been amended to recite "a composition including a first amount between about 78% and 80% by weight of lead, a second amount between about 9% and about 11% by weight of antimony, a third amount between 5% and about 12% by weight of silver".

The Office states that Master et al. teaches "a lead finish comprising about 80-85 percent by weight of lead, about 1-5 percent by weight of silver, about 6-12 percent by weight of antimony, and a balance of tin". However, only the range of 6-12 percent by weight of antimony overlaps the claimed ranges. Thus, all of the ranges recited in the claims are not overlapped by the cited art.

Since each of the rejected claims now includes limitations which are not anticipated nor rendered obvious by the cited references, it is believed that independent claims 1, 12, and 40, as well as all of their dependent claims, are now in condition for allowance. In addition, it is respectfully noted that any claim depending from a nonobvious independent claim is also nonobvious. See M.P.E.P. § 2143.03.

Since withdrawn independent claims 6 and 9 have also been amended to recite "a lead finish comprising between about 78% and 80% by weight of lead, between about 9% and about 11% by weight of antimony, between 5% and about 12% by weight of silver", it is respectfully

requested that the Examiner rejoin claims 6 and 9 in this application, as well as their dependent claims 7-8 and 10-11, since these should now also be in condition for allowance.

### CONCLUSION

The Applicant respectfully submits that all of the pending claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned attorney at (210) 308-5677 to facilitate prosecution of this Application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date: January 8, 2009

By

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9 day of January 2009.

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